

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, )  
Plaintiff, ) No. CR 10-00244 EMC  
vs. )  
MICHAEL ANTHONY NELSON, ) STIPULATION AND ORDER  
Defendant. ) CONTINUING HEARING AND  
 ) EXCLUDING TIME  
 )

## STIPULATION

The parties agree to continue the hearing in the above-captioned matter from March 7, 2012 until March 21, 2012 at 2:30 p.m. Defense counsel avers that the basis for the continuance is the unexpected illness of the defendant.

For the foregoing reasons, the parties agree to the stated continuance and request that time be excluded under the Speedy Trial Act based upon the temporary unavailability of the defendant and the related need for effective preparation by defense counsel.

It is so stipulated.

DATED: March 6, 2012

/s/  
RONALD TYLER  
Assistant Federal Public Defender  
Counsel for Michael Anthony Nelson

DATED: March 6, 2012

/s/  
MICHELLE J. KANE  
Assistant United States Attorney

STIP & ORDER CONTINUING  
HEARING  
*United States v. Nelson*  
CR 10-00244 EMC

## ORDER

The Court finds as follows:

The defendant's illness renders him temporarily unavailable and temporarily physically unable to stand trial, pursuant to the Speedy Trial Act, Title 18 United States Code §§3161(h)(3)(A) and 3161(h)(4).

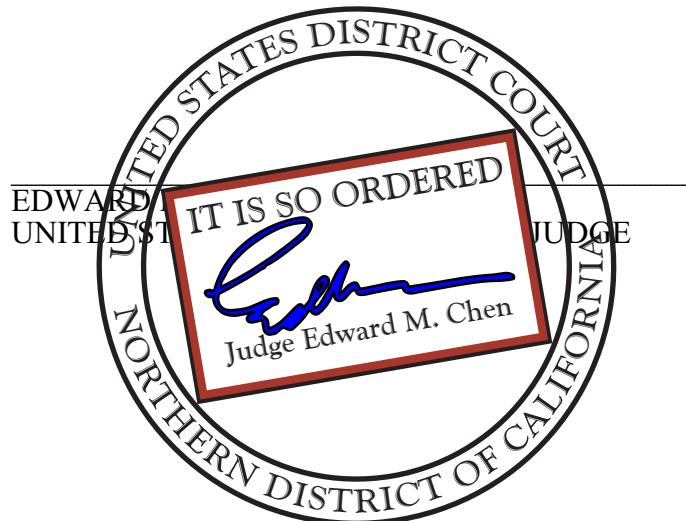
Moreover, the ends of justice are served by granting the requested continuance, given that failure to do so would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

The aforementioned ends of justice outweigh the best interest of the public and the defendant in a speedy trial.

Accordingly, this matter is continued until March 21, 2012 at 2:30 p.m. Pursuant to the Speedy Trial Act, Title 18 United States Code §§3161(h)(3)(A), 3161(h)(4), 3161(h)(7)(A) and 3161(h)(7)(B)(iv), the period from March 7, 2012 until March 21, 2012 is excluded in computing the time within which the trial of this matter must commence.

IT IS SO ORDERED.

DATED: 3/7/12



STIP & ORDER CONTINUING  
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